

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

SECOND APPEAL NO. 659 OF 2004

Mr. Ramankumar Vishwamitra Khosala. ... Appellant.

V/s.

Mr. Shantaram Devu Bhoir. ... Respondents.

....

Mr. K.Y. Mandlik for the Appellant.
None for the Respondents.

CORAM : DR.D.Y. CHANDRACHUD J.

05TH JULY 2007.

P.C. :

. The suit for specific performance was filed nearly 9 years after the agreement of sale which was entered into on 12th March 1973. From the evidence of the Appellant it has emerged that during those 9 years he has taken no steps whatsoever to ensure the grant of permission by the competent authority for the sale of the agricultural land since the Appellant himself was a non-agriculturist.

2. In the circumstances, particularly having regard to the material admissions contained in the cross examination of the Appellant which are more

particularly extracted in paragraph 16 of the
impugned Judgment, the conclusion of the Appellate
Court cannot be regarded as erroneous.

3. No substantial question of law arises in the
Second Appeal. The Second Appeal is accordingly
dismissed.
